

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Joseph Berry, #304171;	)	C.A. No. 6:07-3298-TLW-WMC
	)	
Petitioner;	)	
	)	
vs.	)	ORDER
	)	
Robert H. Mauney,	)	
	)	
Respondent.	)	
	)	

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The Petitioner, proceeding *pro se*, brings this action seeking habeas relief pursuant to 28 U.S.C. § 2254. Petitioner is confined at Northside Correctional Institution and seeks to have his sentence reduced.

On March 20, 2008, the Respondent moved for summary judgment on Petitioner's claims. The Petitioner responded on June 11, 2008. On December 15, 2008, United States Magistrate Judge William Catoe, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.), filed a Report and Recommendation ("the Report"). In his Report, Magistrate Judge Catoe recommends that the Respondent's motion for summary judgment be granted. Petitioner did not file objections to the Magistrate's Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718

F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

In light of this standard, the Court has carefully reviewed the Report and has concluded that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 30); and Respondent's motion for summary judgment is **GRANTED** (Doc. # 15).

**IT IS SO ORDERED.**

S/ Terry L. Wooten  
**TERRY L. WOOTEN**  
**UNITED STATES DISTRICT JUDGE**

January 27, 2009  
Florence, South Carolina